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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 3-12-71319 MAG

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 JENNIFER XIAO,)
18 Defendant.)
19 _____)

No. ~~4-12-71319~~-MAG
STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME PURSUANT
TO FED. R. CRIM. P. 5.1 AND 18 U.S.C.
§ 3161(h)

20 The parties, by and through counsel, stipulate and agree as follows:

21 1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until January 24,
22 2013.

23 2. The parties have engaged in discussions and agreed to proceed by Information, which
24 will be filed before January 24, 2013. The parties agree that extending the time limits of Rule 5.1
25 serves the ends of justice and outweighs the interests of the public and the defendant in a speedy
26 trial, and that failing to extend the time limits would deny counsel for the government and the
27 defendant the reasonable time necessary for effective preparation, taking into account the
28 exercise of due diligence. 18 U.S.C. § 3161(h)(7).

1 3. The next court appearance in this case shall be January 24, 2013, at 9:30 am before the
2 duty magistrate in San Francisco, for preliminary hearing or indictment. The parties may seek
3 further extension of the time limits in Rule 5.1(c) by stipulation.

4 SO STIPULATED AND AGREED,

5
6 DATED: MELINDA HAAG
United States Attorney

7 /s/

8
9 JOHN H. HEMANN
Assistant United States Attorney

10
11 /s/
12 DATED: CHARLES SMITH
Counsel for Jennifer Xiao

13
14 ~~PROPOSED~~ ORDER

15 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO
16 ORDERED.

17
18 DATED: January 16, 2013 
19 LAUREL BEELER
United States Magistrate Judge